

REMARKS:

The claims in the application are 1-16, 18 and Claims 19 and 20 added by the present amendment.

Favorable reconsideration of the application as amended is respectfully requested.

It is noted in box 7.b of the advisory action, the previously-filed amendment has been entered for purposes of appeal; therefore the present amendment is based upon entry of the previously filed amendment.

Independent Claim 1 has been amended to recite the solvent facilitates the low surface tension of the ink, as described, e.g., at page 8, lines 21-26 of the present application. Claims 19 and 20 added herein are directed to the specific type of solvent as described, e.g., at page 4, lines 21-24 of the present application.

The Advisory Action withdraws all rejections except the rejection under 35 U.S.C. §103 for obviousness over GB 2,291,578 to McNamee et al in view of U.S. Pat. No. 4,670,271 to Pasternak. As discussed in the present application, previously-available inks were found to "bleed" or disperse into surrounding areas when applied to a bakery product. This is due to the surface tension of the ink forcing the ink to form beads when applied to a bakery product. However, the Applicant has found that by altering the solvent composition, the surface tension of the ink can be lowered. An ink with a lower surface tension is less likely to form beads when applied to a bakery product and therefore does not bleed into surrounding areas.

McNamee et al discloses applying a marking material/ink to the surface of a dough product before baking and subsequently baking the product. Pasternak discloses the concept of an edible ink and an ink composition. However, Pasternak does not teach an ink which could be used in combination with the method of McNamee et al to suggest the claimed invention for the following reasons.

The ink of Pasternak is used to print onto a transfer sheet where it is allowed to dry prior to being transferred onto a foodstuff, or the ink is directly applied to the foodstuff. However, Pasternak does not discuss or address the problem of the ink beading or bleeding. More specifically, the ink of Pasternak comprises, as disclosed at column 16, lines 19-39:

25-95% of a combination of water, glycerol, propylene glycol and ethanol;

1-50% of a combination of sucrose, dextrose, sorbitol, mannitol, corn syrup and edible gums; and

2-80% of a combination of edible dyes and pigments.

It is thus clear from the disclosure in Pasternak *supra* and the preferred embodiments disclosed in this citation, that propylene glycol is an essential component of the ink of Pasternak. The ink of the present invention comprises water, glycerol, solvent, sucrose and a coloring agent. While the solvent component could be construed as including propylene glycol within its scope, independent Claim 1 also recites that the solvent facilitates the low surface tension of the ink, to prevent beading when the ink is applied to bakery dough.

Propylene glycol has a surface tension of 38 mN/m. The solvents

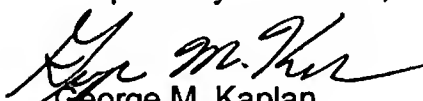
described in the present application, i.e., ethanol, isopropanol and propanol, all have surface tension around 22-23 mN/m. It is therefore clear the ink of Pasternak, containing propylene glycol, will not solve the problem of ink beading and subsequently bleeding when applied to a bakery product, as propylene glycol does not have a sufficiently low surface tension.

Therefore, the combination of McNamee et al with Pasternak does not provide any teaching, suggestion or motivation to alter the ink of Pasternak to an ink with a lower surface tension when it is to be used on a bakery product which is subsequently baked. The solution provided by the present invention as recited in the pending claims herein is therefore not obvious over the combination of McNamee et al with Pasternak.

Accordingly, in view of the forgoing amendment and accompanying remarks, it is respectfully submitted all claims pending herein are in condition for allowance. Please contact the undersigned attorney should there be any questions. The requisite fee for filing a Request for Continued Examination (RCE) is enclosed.

Early favorable action is earnestly solicited.

Respectfully submitted,



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